

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, APRIL 30, 1990
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:03 p.m. with no quorum present. A quorum was present at 2:06 p.m. with Council Members Roberts, Hartley, Henderson, and McCarty not present. The meeting was adjourned by Mayor O'Connor at 4:16 p.m. into Closed Session on Tuesday, May 1, 1990, at 9:30 a.m. in the twelfth floor conference room to discuss pending and potential litigation and meet and confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (mp)

FILE LOCATION: MINUTES

Apr-30-1990

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-not present
- (4) Council Member Pratt-not present
- (5) Council Member Bernhardt-not present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-not present

Apr-30-1990

ITEM-10: INVOCATION

None.

FILE LOCATION: MINUTES

Apr-30-1990

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Pratt.

FILE LOCATION: MINUTES

Apr-30-1990

ITEM-30: APPROVED MINUTES

Approval of Council Minutes for the Meetings of:

3/26/90

3/27/90

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A023-025.)

MOTION BY PRATT TO APPROVE. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present,

Hartley-not present, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-31: GRANTED REQUEST FOR A HEARING

Matter of the request of George Tucker, for a hearing of an appeal from the decision of the Planning Commission in approving Conditional Use Permit CUP-89-0896, proposing a 696 square-foot addition to an existing Texaco service station. The subject property (a lot approximately 15,538 square-feet) is located at 7490 Beagle Street, in Zone CN, in the Clairemont Mesa Community Plan area, and is more particularly described as a portion of Lot 2 of Cambridge Center, Map-4264.

(CUP-89-0896. District-5.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM - CUP-89-0896

COUNCIL ACTION: (Tape location: A025-041).

MOTION BY BERNHARDT TO GRANT THE REQUEST FOR A HEARING DUE TO CITY-WIDE SIGNIFICANCE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

Apr-30-1990

ITEM-32: GRANTED REQUEST FOR A HEARING

Matter of the request of Ronald B. and Constance J. Reagan, for a hearing of an appeal from the decision of the Board of Zoning Appeals in granting variance (Case-20481), subject to conditions. The Applicant requested the

variance to maintain a 402 square foot first and second story addition to a nonconforming single-family dwelling resulting in a floor area ratio of 0.76 where 0.60 is the maximum permitted (dwelling observed a 0.63 floor area ratio prior to construction of this addition). The subject property is located at 3562 Moultrie Avenue, in Zone R1-5000, in the Clairemont Mesa Community Plan area, and is further described as Lot 41, Block 4, American Park Addition, Map-983.

(Case-20481. District-6.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: ZONE Zoning Appeals C-20481

COUNCIL ACTION: (Tape location: A042-055.)

MOTION BY BERNHARDT TO GRANT THE REQUEST FOR A HEARING AT COUNCIL MEMBER HENDERSON'S REQUEST DUE TO CITY-WIDE SIGNIFICANCE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-50: (O-90-122) ADOPTED AS ORDINANCE O-17462 (New Series)

Amending Chapter II, Article 2, Division 2, of the San Diego Municipal Code by amending Sections 22.0207 and amending Chapter VIII, Article 2, of the San Diego Municipal Code by amending Section 82.23, relating to Special Events.
(Introduced on 4/16/90. Council voted 8-0. Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A084-089)

CONSENT MOTION BY BERNHARDT TO DISPENSE WITH THE READING AND ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-51: (O-90-165) ADOPTED AS ORDINANCE O-17463 (New Series)

Extending, until May 1, 1991, Interim Ordinance No. O-17286 (New Series) which limits issuance of demolition permits, building removal permits, building permits and commencement of construction in portions of San Ysidro and Urbanized portions of the Tia Juana River Valley for a period of one year, or upon the effective date of regulations to implement the updated San Ysidro Community Plan, whichever occurs first.

(District-8. Introduced on 4/17/90. Council voted 5-0.
Districts 2, 4, 6 and 7 not present.)

FILE LOCATION: LAND - San Ysidro Community Plan

COUNCIL ACTION: (Tape location: A084-089

CONSENT MOTION BY BERNHARDT TO DISPENSE WITH THE READING AND
ADOPT. Second by Pratt. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-not present, McCarty-not present,
Filner-yea, Mayor O'Connor-yea.

* ITEM-52: (O-90-169) ADOPTED AS ORDINANCE O-17464 (New
Series)

Authorizing the execution of a first amendment to agreement
of September 25, 1989 with the San Diego Community College
District to clarify details regarding the leasing of a
portion of the Miramar College campus for development,
maintenance and operation for park and recreation purposes,
together with any modifications or amendments to the
agreement which do not increase the project scope or cost

which the City Manager shall deem necessary from time to
time to carry out the purposes and intent of this project.
(Mira Mesa Community Area. District-5. Introduced on
4/16/90. Council voted 8-0. Mayor not present.)

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: A084-089

CONSENT MOTION BY BERNHARDT TO DISPENSE WITH THE READING AND
ADOPT. Second by Pratt. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-not present, McCarty-not present,
Filner-yea, Mayor O'Connor-yea.

* ITEM-100: (R-90-1592) ADOPTED AS RESOLUTION R-275590

Awarding contracts to Gibbs Flying Service, Inc. and
Crownair for furnishing aviation fuel, as may be required
for a period of one year beginning May 1, 1990 through
April 30, 1991, for an estimated total cost between \$97,000
and \$105,336, including tax and terms, with an option to
renew the contracts for four additional one year periods.

(BID-F1301/90)

FILE LOCATION: CONT Purchase - Gibbs Flying Service, Inc.
and Crownair CONTFY90-2

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-90-1586) ADOPTED AS RESOLUTION R-275591

Awarding a contract to Liberty Supplies Co., for furnishing
photographic film as may be required for a period of one
year beginning March 1, 1990 through February 28, 1991, for
a total estimated cost of \$529,429.11, including tax and
terms, with an option to renew the contract for four
additional one year periods with prices not to exceed 10
percent of prices in effect at the end of each prior
contract period. (BID-D1296/90)

FILE LOCATION: CONT Purchase - Liberty Supplies Co.
CONTFY90-1

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-90-1277) ADOPTED AS RESOLUTION R-275592

Awarding a contract to Sea Trec Enterprises for a workbarge
with hydraulic winch, for a total cost of \$185,950.05,
including tax; authorizing the expenditure of an amount not
to exceed \$185,950.05 (\$46,487.51 from Fund No. 10001,
Department No. 901, Job Order No. 894471; \$40,909.01 from
Fund No. 100, Department No. 442, Organization No. 750,
Object Account 4222, Job Order No. 44233; \$33,471.01 from
Fund No. 100, Department No. 447, Organization No. 340,
Object Account No. 6010, Job Order No. 44724; \$13,016.50
from Fund No. 100, Department No. 442, Organization No.
750, Object Account No. 6010, Job Order 44233; \$9,297.50
from Fund No. 100, Department No. 442, Organization No.

210, Object Account No. 4222, Job Order No. 44210; \$3,719.00 from Fund No. 100, Department No. 442, Organization No. 410, Object Account No. 4682, Job Order No. 44231; \$3,719 from Fund No. 100, Department 442, Organization No. 750, Object Account No. 3221, Job Order No. 44233; and \$35,330.52 from Fund No. 100, Department No. 442, Organization No. 640; Object Account No. 4692, Job Order No. 44254), for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-H1295/90)

Aud. Cert. 9000867.

FILE LOCATION: CONT Purchase - Sea Trec Enterprises
CONFY90-1

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-90-1597) ADOPTED AS RESOLUTION R-275593

19900430

Inviting bids for the Underground Hazardous Materials Storage Tanks Replacements - Phase I on Work Order No. 119339; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$190,000 from Fund 30244, CIP-33-084, Underground Storage Tank Management Program, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K1405/90)

CITY MANAGER SUPPORTING INFORMATION: This project provides for the replacement of underground storage tanks and ancillary equipment at Fire Stations Nos. 7, 8, 16, 17, 22, 27, 29 and 36. At each station, a new 1000-gallon, double-wall underground tank will be installed, as per the current regulations. Current County, State and Federal regulations require the replacement of all single-wall underground tanks with double-wall tanks and

modified ancillary leak detection equipment. Phase I is part of the City-wide Underground Hazardous Materials Storage Tank Management Program and is the first of a series of tank replacement projects.

Aud. Cert. 9000851.

FILE LOCATION: W.O. 119339 CONT - Angus Asphalt Inc.
CONFY90-1

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-90-1596) ADOPTED AS RESOLUTION R-275594

19900430

Inviting bids for the Underground Hazardous Materials Storage Tanks Replacements - Phase II on Work Order No.

119338; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$35,000 from Fund No. 10322, CIP-34-110, San Diego Jack Murphy Stadium Elevator Renovation Project, to Fund No. 302453, CIP-33-084, Underground Hazardous Materials Storage Tanks; and \$5,000 from Enterprise Fund No. 41200, CIP-37-250, Methane/Leachate Control - Sanitary Landfill Sites, to CIP-33-084, Underground Hazardous Materials Storage Tanks; authorizing the expenditure of funds not to exceed \$170,950 from Fund 302453, CIP-33-084 (\$117,000 from Fund No. 302453, \$48,950 from Fund No. 10332, and \$5,000 from Fund No. 41200, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K1406/90)

CITY MANAGER SUPPORTING INFORMATION: This project provides for the replacement of Underground Storage Tanks and ancillary equipment at City facilities at Barrett, El Capitan, Quivira Court, Balboa Park and San Diego Jack Murphy Stadium. At each station a new double-wall underground tank will be installed as per the current regulations. Three existing tanks at Sutherland, Montgomery Field and Miramar Landfill are to be removed. Currently County, State and Federal regulations require the replacement of all single-wall underground tanks

with double-wall tanks and modified ancillary leak detection equipment. Phase II is part of the City-wide Underground Hazardous Materials Storage Tank Management Program and is the second of a series of tank replacement projects.

Aud. Cert. 9000880.

FILE LOCATION: W.O. 119338 CONT - Environmental Restoration,
Inc. CONFY90-1

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-90-1598) ADOPTED AS RESOLUTION R-275595

19900430

Inviting bids for Underground Hazardous Materials Storage Tanks Replacements - Phase III on Work Order No. 119464; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$475,000 from Fund 30244, CIP-33-084, Underground Storage Tank Management Program, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K1407/90)

CITY MANAGER SUPPORTING INFORMATION: This project provides for the replacement of underground storage tanks and ancillary equipment and reconstruction of the gas pump islands at Rose Canyon and Chollas Operation Centers. At each center new double-walled tanks will be installed as per current regulations. Currently County, State and Federal regulations require the replacement of all single-wall underground tanks with double-wall tanks and modified ancillary leak detection equipment. Phase III is part of the City-wide Underground Hazardous Materials Storage Tank Management Program and is the third of the series of tank replacement projects.

Aud. Cert. 9000879.

FILE LOCATION: W.O. 119464 CONT - Environmental Restoration, Inc.
CONFY90-1

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106: (R-90-1595) ADOPTED AS RESOLUTION R-275596

19900430

Inviting bids for the Construction of Storm Drains on Riviera Drive from Edge Cliff Drive to La Cima Drive on Work Order No. 119342; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$51,000 from Proposition "A" Fund 30300, for the Reconstruction of a Storm Drain in Riviera Drive, CIP-11-247, for said project and related costs; authorizing the Auditor and Comptroller,

upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-K1422/90)

(Pacific Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The existing drainage pipes and outfall systems are badly deteriorated at three locations on Riviera Drive. Some sections of drains have been temporarily repaired by City forces to prevent erosion to slopes and potential street collapse. This project will replace existing deteriorated metal pipe drainage systems with 18-inch RCP, cleanouts, etc., at Riviera Drive and Edge Cliff Drive, at Riviera Drive and La Cima, and on Riviera Drive approximately 300 feet north of La Cima. This project will prevent erosion to slopes, potential street damage, and reduce maintenance.

Aud. Cert. 9000845.

FILE LOCATION: W.O. 119342 CONT - Walter H. Barber & Sons, Inc.

CONFY90-1

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-90-1719) ADOPTED AS RESOLUTION R-275597

Authorizing the execution of an amendment to the Subdivision Improvement Agreement for Westwood Valley Unit No. 5, to provide for the substitution of Kaufman and Broad of San Diego, for Westwood Valley Partnership, as subdivider; declaring that the public improvements to be

constructed shall be completed by November 2, 1990;
accepting Bond Nos. 2645399-NFIC and 11132748176-AIC,
issued by National Fire Insurance Company of Hartford and
the American Insurance Company, as co-surety, in the amount
of \$815,672 as the surety for the required improvements;
releasing Bond No. BD 391033, issued by Allied Mutual
Insurance Company, in the amount of \$2,509,758.
(Rancho Bernardo Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On November 2, 1987, the City entered into an agreement with Westwood Valley Partnership for the construction of public improvements for Westwood Valley Unit No. 5. The agreement expired on November 2, 1989. The property is now owned by Kaufman and Broad of San Diego, Inc., a California Corporation. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to November 2, 1990. Approximately 90 percent of the work is completed. The new subdivider has provided a performance bond for the approved amount of \$815,672. The amended agreement and time extension are in accordance with Council Policy 600-21. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE LOCATION: SUBD - Westwood Valley Unit No. 5
CONTFY90-1

COUNCIL ACTION: (Tape location: A090-173.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-90-1720) ADOPTED AS RESOLUTION R-275598

Authorizing the execution of an Amendment to Subdivision Improvement Agreement for Westwood Valley Unit No. 8, to provide for the substitution of Kaufman and Broad of San Diego, for Westwood Valley Partnership, as subdivider; declaring that the public improvements to be constructed shall be completed by November 2, 1990; accepting Bond Nos. 2645400-NFIC and 11132748184-AIC, issued by National Fire Insurance Company of Hartford and the American Insurance

Company, as co-surety, in the amount of \$434,536 as surety for the required improvements; releasing Bond No. BD 391031, issued by Allied Mutual Insurance Company, in the amount of \$1,198,718.
(Rancho Bernardo Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On November 2, 1987, the City entered into an agreement with Westwood Valley Partnership for the construction of public improvements for Westwood Valley Unit No. 8. The agreement expired on November 2, 1989. The property is now owned by Kaufman and Broad of San Diego, Inc., a California corporation. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to November 2, 1990. Approximately 85 percent of the work is complete. The new subdivider has provided a performance bond for the approved amount of \$434,536. The amended agreement and time extension are in accordance with Council Policy 600-21. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE LOCATION: SUBD - Westwood Valley Unit No. 8
CONTFY90-1

COUNCIL ACTION: (Tape location: A090-173.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-109: (R-90-1677) ADOPTED AS RESOLUTION R-275599

Granting the petition for the Improvement of Alley Block 21, Sunset Cliffs; directing the City Manager to prepare plans, drawings, typical cross-sections, profiles and specifications for the Improvement of Alley Block 21, Sunset Cliffs, together with estimates of the costs and expenses of such work, and to furnish Council with a description of the district to be included in the assessment for the work and improvements.
(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The City has received a petition from property owners who are interested in improving

their alley through the formation of an assessment district

under the provisions of the Improvement Act of 1911, which provides the means to install public improvements with the cost assessed to the benefitting property owners. The improvements would consist of grading and paving the alley. As required in these proceedings, a petition for this improvement was circulated and signed by the owners of 46 percent of the property area involved. In addition to the petition, 20 percent of the area involved has signed a 1911 Act waiver of protest for alley improvements as a condition of approval of a building permit. This results in a total of 66 percent. While this is 1 percent below the 67 percent petition required by Council Policy 800-3, "Assessment Procedures," it is recommended that the petition be accepted. After acceptance of the petition this project will proceed to design. Upon design completion, City Council approves the Resolution of Intention and the plat and plans and sets the date and time of the public hearing.

FILE LOCATION: STRT - D-2284

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-110: (R-90-1730) CONTINUED TO MAY 7, 1990

Amending Council Policy 600-15, regarding Street Vacations
and Easement Abandonments.

(See City Manager Report CMR-90-118 and Committee
Consultant Analysis TLU-90-17.)

COMMITTEE ACTION: Initiated and reviewed by TLU on 3/26/90.

Recommendation to approve the City Manager's recommendation and
recommend approval to Council. Districts 1, 2, 4, 5 and 8 voted
yea.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A060-082.)

MOTION BY BERNHARDT TO CONTINUE FOR ONE WEEK FOR TIME FOR THE
CITY MANAGER AND CITY ATTORNEY TO RESPOND TO THE CONCERNS

EXPRESSED BY MR. BEAM AND TO REPORT BACK TO COUNCIL. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-111: (R-90-1743) ADOPTED AS RESOLUTION R-275600

Directing the City Manager to close Father Junipero Serra Trail to vehicular traffic from sunset June 1, 1990 to 5:00 p.m. June 2, 1990, for the purpose of increasing safety for Adventure 16 volunteers participating in the annual Mission Trails Regional Park cleanup.
(District-7.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112: (R-90-1745) ADOPTED AS RESOLUTION R-275601

Excusing Mayor Maureen O'Connor from attending the regularly scheduled Council meetings of February 26, 27, March 12, 13 and Special Council Workshop of March 1, 1990, due to out of town official City business relating to a presentation at the U.S. Conference of Mayors, as requested by the National Governors Association, and the Super Bowl presentation in Orlando, Florida, on behalf of the City.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-113: (R-90-1751) ADOPTED AS RESOLUTION R-275602

A Resolution approved by the City Council in Closed Session

on Tuesday, April 17, 1990 by the following vote:
Wolfsheimer-yea; Roberts-yea; Hartley-not present;
Pratt-not present; Bernhardt-yea; Henderson-yea;
McCarty-yea; Filner-not present; Mayor-yea.
Authorizing the City Manager to pay the total sum of
\$85,000 in the settlement of each and every claim against
the City, its agents and employees, resulting from the
subsidence of Dorothy Trevor's home at 7447 Hillside Drive
(Superior Court Case No. 565318, Dorothy Trevor v. City of
San Diego, et al.); authorizing the City Auditor and
Comptroller to issue one check in the amount of \$85,000,
made payable to Dorothy Trevor and Attorney Rand K.
Shotwell in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the
complete and final settlement of the property damage claim of
Dorothy Trevor against the City of San Diego as a result of the
incident of December 21, 1984.
Aud. Cert. 900897.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114: (R-90-1732) ADOPTED AS RESOLUTION R-275603

A Resolution approved by the City Council in Closed Session
on Tuesday, April 3, 1990 by the following vote:
Wolfsheimer-yea; Roberts-yea; Hartley-yea; Pratt-yea;
Bernhardt-not present; Henderson-yea; McCarty-yea;
Filner-not present; Mayor-yea.
Authorizing the City Manager to pay the total sum of
\$55,000 in the settlement of the claim of R.E. Hazard
Construction against the City, its agents and employees,
from the need to reconstruct a portion of the sewer system
located at Brown Field Industrial Park (Superior Court Case
No. 611229, R.E. Hazard v. City of San Diego, et al.);
authorizing the City Auditor and Comptroller to issue one
check in the total amount of \$55,000 made payable to R.E.
Hazard Construction and James Cady, Hillyer and Irwin, its
attorneys, in full settlement of the lawsuit and all claims
only in the above-mentioned Case No. 611229.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of R.E. Hazard's claim as a result of the incident of March 18, 1987.

Aud. Cert. 9000882.

WU-RM-90-149.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-115: (R-90-1731) ADOPTED AS RESOLUTION R-275604

Establishing a no parking or standing zone between the hours of 4:00 p.m. and 6:00 p.m. Saturdays, Sundays and holidays excepted, on the north side of "A" Street between Second Avenue and Ninth Avenue; authorizing the installation of the necessary signs and markings; declaring that the above imposed regulations shall become effective upon the installation of such signs.

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The afternoon peak hour (4:00-6:00 P.M.) part-time "parking-stopping" restriction with "tow-away" provision is proposed to relieve traffic congestion on "A" Street between Second Avenue and Ninth Avenue. This will be accomplished by converting the parking lane along the north side of "A" Street to a travel lane during the afternoon peak hours. Presently, this portion of "A" Street is a one-way street, striped for three lanes in the eastbound direction with metered two-hour time limit parking on both sides of the street. During the afternoon peak times, the street becomes heavily congested with traffic. The proposed part-time "parking-stopping" restriction and the addition of a fourth travel lane will help relieve congestion, and allow better access to the freeway on-ramps.

This capacity improvement will result in a high benefit at a very low cost and is part of the Transportation Systems Management effort of the City's Mobility Program. Signs indicating the part-time "parking-stopping" restriction with "tow-away" provision will be posted at the above location. The "tow-away" is needed to prevent blockage of this through traffic lane, and it is in accordance with the CVC Section 22651(n) and

the San Diego Municipal Code Sections 81.09 and 86.05. Adjacent property owners and residents were notified, with no objections.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-116: (R-90-1735) ADOPTED AS RESOLUTION R-275605

Authorizing the execution of an amendment to the agreement with Innis-Tennebaum Architects, Inc., for consultant services for the preparation of a Socio-Economic Impact Study and Report for the seismic retrofit of unreinforced masonry buildings; authorizing the expenditure of an amount not to exceed \$56,000 from the Allocated Reserve, Department 901, Job Order 886012, previously authorized by Council Resolution R-271105, for the above described consultant services.

(See City Manager Report CMR-90-178.)

Aud. Cert. 9000873.

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-117: (R-90-1733) ADOPTED AS RESOLUTION R-275606

Authorizing the execution of an agreement with Pickering Environmental Consultants, Inc. for asbestos consulting services, together with any necessary modifications or amendments which do not increase the project scope or cost which the City Manager shall deem necessary from time to time to carry out the purposes and intent of this project and agreement; authorizing the expenditure of an amount not to exceed \$75,000 from Fund No. 100, Department 532,

General Services, Buildings Division, for providing funds for this project; authorizing the City Auditor and Comptroller to transfer unexpended funds, if any, to the appropriate reserves upon advice of the administering department.

CITY MANAGER SUPPORTING INFORMATION: A Request for Proposal for Asbestos Consulting Services was issued on January 26, 1990.

Staff reviewed 9 proposals submitted in accordance with A.R. 25.70. Pickering Environmental was selected based on overall cost, experience and resources available to provide consultation for a number of small asbestos projects. Pickering Environmental Consultants, Inc., will provide asbestos inspection, air monitoring, project design and project management services. These services are beyond the capability of City staff. Services will be employed on small asbestos abatement projects for a number of City-wide locations. Asbestos abatement work must be completed before scheduled repair, maintenance and/or renovation projects at these facilities can proceed.
Aud. Cert. 9000890.

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-118: (R-90-1734) ADOPTED AS RESOLUTION R-275607

Authorizing the execution of a first amendment to an agreement of September 26, 1988 with the San Diego County Water Authority, for the restoration of Shepherd Canyon Pipeline; authorizing the City Auditor and Comptroller to transfer the amount of \$28,174.94 within Water Revenue Fund No. 41502, from the Unallocated Reserve (No. 70679) to the Water Systems Construction Outlay Program (No. 70592), CIP-73-292.0, Shepherd Canyon Pipeline Restoration; authorizing the expenditure of an amount not to exceed \$28,174.94 from Water Revenue Fund No. 41502, Water Systems Construction Outlay Program (No. 70592) CIP-73-292.0, Shepherd Canyon Pipeline Restoration, for the purpose of providing funds for the above project; authorizing the City

Manager to finance or refinance this agreement with tax-exempt securities, if circumstances warrant.

(Tierrasanta Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: On September 26, 1988, the City Manager was authorized to enter into an agreement with the San Diego County Water Authority (SDCWA) for the restoration of the existing 72-inch-diameter Shepherd Canyon Pipeline. With the installation of a coated steel liner plate, the restoration was intended to eliminate the potential for suspected corrosion-induced failures in this very valuable and important link in the City's water transmission system. Construction began in December 1988 and was completed in April 1989. During construction, six change orders totaling \$18,919.77 were precipitated by unforeseen circumstances in the field. Change Order No. 1 (+\$3,635.15) raised an existing manhole to grade; Change Order No. 2 (-\$11,876.74) deleted several sections of unneeded liner plate; Change Order No. 3 (+19,117.60) modified installation equipment to accommodate sharp horizontal and vertical bends in the pipeline; Change Order No. 4 (+\$2,563.00) modified a previous repair on the pipeline so that the liner plate installation could proceed; Change Order No. 5 (no cost) reinstated three working days to the contract which were lost to rain; Change Order No. 6 (+\$5,480.76) replaced a portion of a conflicting storm drain, dewatered a flooded manhole, and installed a new air valve. In addition to the \$18,919.77 for the six change orders, another \$9,255.17 was encumbered by the SDCWA for additional contract administration costs which exceeded the scope of work in the original agreement.

Aud. Cert. 9000881.

WU-U-90-134.

FILE LOCATION: WATER - San Diego County Water Authority,
Shepherd Canyon Pipeline CONFY90-1

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-119: (R-90-1750) ADOPTED AS RESOLUTION R-275608

Proclaiming April 24, 1990 as "General Federation Centennial Day" in San Diego; recognizing the General

Federation of Women's Clubs members on this day and commending them for their donations to philanthropic organizations, scholarships awarded to deserving students and volunteer services to the entire county.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150: (R-90-1165 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-275609

19900430

(Trailed from the meeting of March 26, 1990, Item 153, to March 27, 1990; Continued from the meeting of March 27, 1990, at the City Manager's request, for further review.)

Approving in concept the establishment of an organization to implement the Clean Water Program pending the completion of Phase II of the Management and Organization Study of the Metropolitan Sewerage System.

(See City Manager Report CMR-90-46.)

COMMITTEE ACTION: Reviewed by PSS on 1/31/90. Recommendation to approve in concept, subject to additional information by the City Manager, when presented to the City Council. Districts 2, 4 and 7 voted yea. District 3 and 5 not present.
WU-CWP-90-093.

FILE LOCATION: WATER - Clean Water Program

COUNCIL ACTION: (Tape location: B136-C168;C340-438.)

MOTION BY McCARTY TO ADOPT AS AMENDED BY ADDING THE CAVEAT THAT

THE CITY MANAGER CONTACT EPA AND ASK THEM TO RECOMMEND SOMEONE

WHO HAS ALREADY PERFORMED THIS TYPE OF WORK WITH RESPECT TO THE ESTABLISHMENT OF AN ORGANIZATION TO IMPLEMENT THE CLEAN WATER PROGRAM; INVESTIGATE THE POSSIBILITY OF BORROWING SOMEONE WHO MAY ALREADY BE WORKING IN THIS CAPACITY WITH ANOTHER CITY.

ALSO, RETURN ITEM-209 TO THE CITY MANAGER FOR REDOCKETING WITH INFORMATION REGARDING THE CAVEAT. Second by Roberts. Passed by

the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-nay, Pratt-yea, Bernhardt-nay, Henderson-not present, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-200: (R-90-1519) ADOPTED AS RESOLUTION R-275610

(Continued from the meeting of March 26, 1990, Item 403, at the City Manager's request, for further review.)

Directing the City Manager to convey to the Chief Administrative Officer of the County of San Diego the City's position regarding membership composition of the California Integrated Waste Management Task Force, as set forth in the City Manager's Report.

(See City Manager Report CMR-90-152.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B074-129.)

MOTION BY McCARTY TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-90-1753) ADOPTED AS RESOLUTION R-275611

Council confirmation of the following appointments and reappointments by the Mayor to serve as members of the Advisory Board on Women, for two-year terms ending March 1, 1992:

(See memorandum from Mayor O'Connor dated 4/18/90.)

NAME

Sandra Sherman (Reappointment)

Ann Parode (Reappointment)

Maria Velasquez - Chair (Reappointment)
Margaret S. Lacy (Reappointment)
Roslyn E. Johnson
(To replace Catherine J. Lopez, who has resigned.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-173.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-90-1754) ADOPTED AS RESOLUTION R-275612

Council confirmation of the following appointments and
reappointments by the Mayor to serve on the Board of Zoning
Appeals, for two-year terms ending March 1, 1992:
(See memorandum from Mayor O'Connor dated 4/18/90.)
NAME
Maria G. Riveroll (Reappointment)
Glenn P. Goltz (Reappointment)
Gordon R. Carrier (Alternate to the Board)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-173.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-90-1781) ADOPTED AS RESOLUTION R-275613

Council confirmation of the appointment by the Mayor of
Bruce W. Beach to serve on the Citizens Advisory Board on
Police/Community Relations, representing District 6, for a
two-year term ending January 1, 1992.
(See memorandum from Mayor O'Connor dated 4/20/90 with
resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-173.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-204: (R-90-1741) ADOPTED AS RESOLUTION R-275614

Council confirmation of the following appointment and reappointments by the Mayor to serve as members of the Citizen's Equal Opportunity Commission, for two-year terms ending January 1, 1992:
(See memorandum from Mayor O'Connor dated 4/17/90 with resume attached.)

Loretta Kiner (Reappointment)
Reverend Leola Arnold (Reappointment)
Dennis McGee (Reappointment)
Eilene Cummins (To replace Judith Abeles, who has resigned.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-205: (R-90-1755) ADOPTED AS RESOLUTION R-275615

Council confirmation of the reappointment, by the Mayor, of Kenneth Kurtz (Bank Official) to serve as a member of the Funds Commission for a term ending January 28, 1993.
(See memorandum from Mayor O'Connor dated 4/18/90.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-206: (R-90-1780) ADOPTED AS RESOLUTION R-275616

Council confirmation of the following appointments and

reappointments by the Mayor to serve as members of the
Quality of Life Board for terms as indicated:
(See memorandum from Mayor O'Connor dated 4/20/90 with
resumes attached.)

Reappointments

| Name | Term Expires |
|---------------------|--------------|
| ** Harriet G. Kopp | 3/1/91 |
| * Iris W. Engstrand | 3/1/91 |
| * Diane Takvorian | 3/1/91 |

Appointments

| Name | Term Expires |
|--|--------------|
| ** Donald R. Short | 3/1/92 |
| ** Patrick L. Abbott | 3/1/92 |
| * Linda Kaye Harter | 3/1/92 |
| * Christopher G. Carstens | 3/1/92 |
| ** Representing the areas of physical and environmental sciences. | |
| * Representing the areas of social and behavioral sciences. | |

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-207: (R-90-1740) ADOPTED AS RESOLUTION R-275617

Council confirmation of the following appointments by the
Mayor to serve as members of the Waste Management Advisory
Board, for terms as indicated:
(See memorandum from Mayor O'Connor dated 4/17/90 with
resumes attached.)

| Name | Term Expires |
|--|-----------------|
| Evelyn C. Kleber (To replace Richard Babock, who has resigned.) | October 1, 1991 |
| James Linzie Whitmill (To replace Clifford W. Graves, who has resigned.) | October 1, 1991 |

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-208: (R-90-1711) ADOPTED AS RESOLUTION R-275618

Authorizing the execution of a contractual agreement for the retaining of the law firms of Orrick, Herrington and Sutcliffe and Arnelle and Hastie, as Co-Bond Counsel for

the San Diego Secondary Treatment/Wastewater Reclamation Project (Clean Water Program); authorizing the expenditure of \$76,475 for the agreement from Sewer Revenue Fund 41506 (70711).

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: C438-525.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-nay, Pratt-yea, Bernhardt-nay, Henderson-not present, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-209: (O-90-154) RETURNED TO CITY MANAGER

(Trailed from the meeting of March 26, 1990, Item 202, to March 27, 1990; Continued from the meeting of March 27, 1990, at the City Manager's request, for further review.)

First public hearing in the matter of:

Amending Ordinance O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year," by amending Document No. OO-17326-1, as amended and adopted therein, by amending the personnel authorization of the Water Utilities Department (700) by creating a "Clean Water Program," and adding one (1.00) Management Assistant to the City Manager and one (1.00) Deputy Director for Contract Management; exempting the Deputy Director from the Classified Service; establishing a salary rate for the two new positions; and transferring the sum of \$41,472, entitled "Modified Wastewater Treatment Facilities Plant" to Sewer Revenue Fund 41506, Program Element 70711, to fund

the two new positions.

CITY MANAGER SUPPORTING INFORMATION: This ordinance will create the Clean Water Program Director and Deputy Director for Contract Management and will exempt these positions from the Classified Service. This action will facilitate implementation of the Clean Water Program. The Director will oversee the entire operation of the Clean Water Program which includes Construction Management, Program/Environmental Management, the Program Manager (consultant, Contract Management and Water

Reclamation Management. The Deputy Director for Contract Management for the Clean Water Program will be responsible for monitoring and coordinating the implementation of the design and construction contracts. Contracts for the fifteen agencies participating in the Metropolitan Sewerage System will also be negotiated and administered under the direction of this Deputy Director.

Aud. Cert. 9000756.

WU-CWP-90-121.

NOTE: See Item 332 on the docket of Tuesday, May 1, 1990, for the introduction and adoption of the Ordinance.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B136-C168;C340-438.)

MOTION BY McCARTY TO ADOPT AS AMENDED BY ADDING THE CAVEAT THAT THE CITY MANAGER CONTACT EPA AND ASK THEM TO RECOMMEND SOMEONE

WHO HAS ALREADY PERFORMED THIS TYPE OF WORK WITH RESPECT TO THE ESTABLISHMENT OF AN ORGANIZATION TO IMPLEMENT THE CLEAN WATER PROGRAM; INVESTIGATE THE POSSIBILITY OF BORROWING SOMEONE WHO MAY ALREADY BE WORKING IN THIS CAPACITY WITH ANOTHER CITY.

ALSO, RETURN ITEM-209 TO THE CITY MANAGER FOR REDOCKETING WITH INFORMATION REGARDING THE CAVEAT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-nay, Pratt-yea, Bernhardt-nay, Henderson-not present, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-210: (R-90-1737) ADOPTED AS RESOLUTION R-275619

Approving a Representative Project Area Committee for the City Heights Redevelopment Project Area.

(Mid-City Community Area. Districts-3, 7 and 8.)

CITY MANAGER SUPPORTING INFORMATION: On March 19, 1990, the City Council adopted the procedures for formation of the Project

Area Committee (PAC) for the City Heights Redevelopment Project. A community workshop was held on March 24, 1990 at Wilson Middle School to explain the establishment of, functions of, and opportunity to serve on the PAC. Notices of this meeting and

the subsequent election meeting were mailed to every property owner, residential tenant, business owner and community organization in the proposed project area. The election meeting was held on April 21, 1990, also at Wilson Middle School. Representatives from the City Attorney and the City Clerk's offices assisted in its conduct. Eligible members from the community elected PAC representatives in four categories: residential owner occupant, residential tenant, business owner and representative of existing community organizations. The PAC will serve in an advisory capacity to the City Council/Redevelopment Agency during the entire plan adoption process and for at least three years following approval of the final plan. Results of the PAC election will be made available at the Council meeting. It is recommended that Council hear public testimony regarding any potential public concern about the formation of the PAC and ratify the results of the PAC election.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C554-622.)

Hearing began at 4:09 p.m. and halted at 4:12 p.m.

MOTION BY HARTLEY TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-211: (R-90-1441) ADOPTED AS RESOLUTION R-275620

Matter of a proposal to approve the Otay Valley Regional Park Joint Powers Agreement.

The Otay Valley Regional Park concept planning area extends eastward approximately eleven (11) miles from South San Diego Bay along the Otay River Valley corridor to the Lower Otay Reservoir and Bureau of Land Management boundaries. This area encompasses portions of the Cities of San Diego and Chula Vista and the County of San Diego, including portions of the Otay Mesa-Nestor and Otay Mesa Community Plan areas in the City of San Diego. The Joint Exercise of

Powers Agreement is an agreement between the Cities of San Diego and Chula Vista, and the County of San Diego to organize efforts and work collectively towards the acquisition, planning and design of the Otay Valley Regional Park.

(District-8.)

Adoption of a Resolution approving the Joint Exercise of Powers Agreement among the County of San Diego and the cities of Chula Vista and San Diego for Planning and Acquisition for the Otay Valley Regional Park, and appointment of the Councilmember from District 8 to serve as the representative to the Otay Valley Regional Park Joint Powers Authority.

PLANNING DEPARTMENT SUPPORTING INFORMATION: The Otay Valley Regional Park Policy Committee, consisting of San Diego City Councilmember Bob Filner, Chula Vista Mayor Gregory Cox, and San Diego County Supervisor Brian Bilbray, has been formed to act as the decision-making body for the proposed Otay Valley Regional Park project, which encompasses portions of the cities of San Diego and Chula Vista, and the County of San Diego.

On December 8, 1989, and on February 2, 1990 (with revisions) the Policy Committee approved a motion to adopt the draft Joint Powers Agreement (JPA) and forward the JPA to the County and the cities of San Diego and Chula Vista for approval. The Board of Supervisors approved the JPA on January 30, 1990, and the Chula Vista City Council approved it on February 6, 1990. With San Diego City Council approval, the Joint Powers Authority will be complete and formally established.

FILE LOCATION: MEET CONFY90-2

COUNCIL ACTION: (Tape location: A090-173.)

Hearing began at 2:11 p.m. and halted at 2:12 p.m.

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S400: (R-90-1593) ADOPTED AS RESOLUTION R-275621

Accepting the low bid and Additive Alternate "A" of \$295,068 and awarding a contract to San Marcos Mechanical, Inc., for the Installation of a Planetarium Chiller; authorizing the City Manager, if circumstances warrant, to

finance or refinance this project with tax exempt securities; authorizing the City Auditor and Comptroller to transfer \$70,000 from the Planetarium Chiller Construction Fund No. 97800 to CIP-37-426, Planetarium Underground HVAC Piping Replacement - (renamed Planetarium Chiller Installation); authorizing the expenditure of an amount not to exceed \$70,000 from CIP-37-426, Planetarium Underground HVAC Piping Replacement - (renamed Planetarium Installation), to supplement funds previously authorized by Resolution R-275095, adopted on February 5, 1990, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate planetarium reserves. (BID-K1155/90) (Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: Earlier Council action authorized the design and construction of a chiller water generating system at the Reuben H. Fleet Space Theater and Science Center. This system will serve the various air conditioning units supplying the Space Theater, Science Hall, staff workshops and offices. The present underground chiller water system has developed leaks, is unreliable and would be difficult to repair or replace. The basic chiller equipment was provided on a separate contract. This action will provide for the installation of piping, insulation, electrical, controls and start up service. A screening structure is included for weather protection and security. A second chiller is being programmed to accommodate possible simultaneous peak loads and to serve as

a back-up unit and is installed under this contract. Twenty-one bid sets were issued and two bids were received with the low base bid being 14 percent over the estimate. San Marcos Mechanical listed one Subcontractor, Walsh Enterprises (chemical treatment) 1 percent of contract. The Planetarium Authority had approved this project at an earlier meeting and authorized transfer of funds to complete the required installation. Aud. Cert. 9000864.

FILE LOCATION: CONT - San Marcos Mechanical, Inc.
CONTFY90-1

COUNCIL ACTION: (Tape location: A090-173.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S401:

Two actions relative to the final subdivision map of City Aero Drive Industrial Park, a 6-lot subdivision located southeasterly of Aero Drive and Ruffin Road:
(Serra Mesa Community Area. District-5.)

Subitem-A: (R-90-1796) ADOPTED AS RESOLUTION R-275622

Approving the final map.

Subitem-B: (R-90-1797) ADOPTED AS RESOLUTION R-275623

Authorizing the Mayor and City Clerk to execute the certificate of ownership on the final map of City Aero Drive Industrial Park, consenting to the preparation and recordation of the map.

FILE LOCATION: SUBD - City Aero Drive Industrial Park

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402:

Two actions relative to the final subdivision map of Habitat for Humanity/Carter Work Project, an 8-lot subdivision located southwesterly of Merlin Drive and 60th Street:

(Southeast San Diego Community Area. District-3.)

Subitem-A: (R-90-1768) ADOPTED AS RESOLUTION R-275624

Authorizing the execution of a Subdivision Improvement Agreement with Tijuana/San Diego Habitat for Humanity for the installation and completion of public improvements.

Subitem-B: (R-90-1767) ADOPTED AS RESOLUTION R-275625

Approving the final map.

FILE LOCATION: SUBD - Habitat for Humanity/Carter Work
Project CONFY90-1

COUNCIL ACTION: (Tape location: A098-134;B058-074;C169-340.)
MOTION BY HARTLEY TO ADOPT. Second by Bernhardt. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

* ITEM-S403: (R-90-1785) ADOPTED AS RESOLUTION R-275626

Recognizing the dedication and involvement of Joe and
Elizabeth Yamada as an example for community members

throughout the City; and commending Joe and Elizabeth
Yamada for their longstanding commitment to improve the
quality of life in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-173.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S404: (R-90-1748) ADOPTED AS RESOLUTION R-275627

Approving Change Order No. 1, dated February 16, 1990,
issued in connection with the contract with Mur-Vic
Construction Company, for the improvement of Sorrento
Valley Road between Sorrento Valley Boulevard and I-805,
amounting to a net increase in the contract price of
\$41,804.

(Torrey Pines Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On April 25, 1989, a
contract was awarded to Mur-Vic Construction Company for the
improvement of Sorrento Valley Road between Sorrento Valley
Boulevard and I-805. The project consists of widening the
existing two-lane street to a four-lane major street, along with
concrete encasement of portions of an existing 30-inch diameter
sewer main. During grading operations for the sewer encasement,
the contractor encountered undocumented fill material stockpiled
on top of the 30-inch sewer line. This condition required
additional excavation work, resulting in a net contract increase

of \$41,804.
Aud. Cert. 9000865.
WU-E-90-150.

FILE LOCATION: STRT D-2234 CONTFY90-1

COUNCIL ACTION: (Tape location: A090-173.)
 CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
 Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
 Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present,
 McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405: (R-90-1561) ADOPTED AS RESOLUTION R-275628

 (Continued from the meeting of April 23, 1990, Item S407,
 at the contractor's request, to settle potential legal
 problems with the subcontractor.)
 Authorizing the execution of an agreement with Rees-Stealy
 Medical Group, Inc., to provide medical treatment to the
 City's industrially injured and ill employees for two-year
 periods beginning May 1, 1990 through April 30, 1992, with
 an option to renew for two additional one-year periods,
 together with any reasonably necessary modifications or
 amendments which do not increase the cost and which the
 City Manager shall deem necessary from time to time in
 order to carry out the purposes and intent of this
 agreement; authorizing the expenditure of an amount not to
 exceed \$1,500,000 from Workers Compensation Fund No. 60029,
 for the purpose of providing funds for the above agreement.
 (See City Manager Report CMR-90-166.)

COMMITTEE ACTION: Reviewed by RULES on 4/18/90.
 Recommendation to approve the City Manager's recommendation.
 Districts 1, 2, 5, 8 and Mayor voted yea. District 4 not
 present.
 Aud. Cert. 9000835.

FILE LOCATION: CONT Purchase - Rees-Stealy Medical Group,
 Inc. CONTFY90-1

COUNCIL ACTION: (Tape location: A180-B055.)
 MOTION BY ROBERTS TO ADOPT THE RESOLUTION ACCEPTING THE
 CONTRACT. Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

ITEM-S406: (R-90-1805) ADOPTED AS RESOLUTION R-275629

Council confirmation of the appointment by the Mayor of
Councilmember Judy McCarty to represent the City of San
Diego on the AB 939 Integrated Waste Management Task Force.

NOTE: See Item 200 on the regular docket of Monday,
April 30, 1990, for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S407: (R-90-1676) ADOPTED AS RESOLUTION R-275630

(Continued from the meeting of April 23, 1990, Item 117, at
the City Manager's request, to review the language.)

Prohibiting commercial vehicles with a gross vehicle weight
rating of 10,000 lbs. on Via Capri between La Jolla Scenic
Drive South and Hidden Valley Road; authorizing the
installation of the necessary signs and markings; declaring
that the above regulations shall become effective upon the
installation of such signs.

(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Via Capri between La
Jolla Scenic Drive South and Hidden Valley Road is a classified
two-lane collector street. Our investigation has shown that
this is not a major truck route, and is not a desirable route
for trucks to use as a shortcut. Due to the steep grades and
sharp curves throughout Via Capri, a prohibition of commercial
vehicles with a gross vehicle weight rating of over five tons is
recommended to improve the overall safety of this road. Trucks
making local deliveries and providing service on Via Capri will
still be permitted to use the roadway.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S408:

(Trailed as Unfinished Business from the meeting of April 24, 1990, Item 336, because Subitem A requires 8 votes. Subitems B-E cannot be adopted before Subitem A is adopted.)

Five actions relative to the Improvement of Alley Block 24, Morena Amended Map-809 (1911 Improvement Act):
(Bay Park Community Area. District-6.)

Subitem-A: (R-90-1318) ADOPTED AS RESOLUTION R-275585

19900430

Resolution of Feasibility for the Improvement of Alley Block 24, Morena Amended Map-809 under the provisions of the San Diego Municipal Code and the Improvement Act of 1911.

Subitem-B: (R-90-1319) ADOPTED AS RESOLUTION R-275586

Ordering the work for the Improvement of Alley Block 24, Morena Amended Map-809.

Subitem-C: (R-90-1320) ADOPTED AS RESOLUTION R-275587

Approving the City Engineer's Report.

Subitem-D: (R-90-1321) ADOPTED AS RESOLUTION R-275588

Adopting Plans and Specifications.

Subitem-E: (R-90-1322) ADOPTED AS RESOLUTION R-275589

Inviting sealed proposals for bids.

CITY MANAGER SUPPORTING INFORMATION: The project was

initiated by owners of 66 percent of the property area involved. There are no executed waivers for alley improvements. The petition was accepted by Council on October 24, 1988, per Resolution R-272147. The alley to be improved is located between Morena Boulevard and Chicago Street, and Jellett Street and Kane Street. The improvements consist of grading and paving of a 20-foot alley section.

FILE LOCATION: STRT - D-2277

COUNCIL ACTION: (Tape location: A090-173.)

Hearing began at 2:11 p.m. and halted at 2:12 p.m.

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S409: (R-90-1810) ADOPTED AS RESOLUTION R-275631

Authorizing the execution of an Amendment to Agreement for Option to Lease with ARC-SD, a California nonprofit corporation, pursuant to which that certain option agreement entered into on April 21, 1986, relating to the potential lease and development of approximately three acres of City-owned land at Aero Drive and Ruffin Road is

amended to extend the option period for one additional year in order to allow for the completion of all actions provided for in the option and to allow the City to obtain any necessary approvals from the federal government needed to allow for the lease of a portion of the leasehold area for less than full fair market rent.

(See City Manager Report CMR-90-199. Serra Mesa Community Area. District-5.)

FILE LOCATION: LEAS - ARC-SD LEASFY90-1

COUNCIL ACTION: (Tape location: A090-173.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell regarding the continuation of school, City, and public cooperative efforts with respect to government by the people and for the people.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D065-075.)

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor O'Connor at 4:16 p.m.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D079).